

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Frank J. Steinhauser, III, et al.,

Civil No. 04-2632
JNE/SRN

Plaintiffs,

v.

City of St. Paul, et al.,

Defendants.

**THIRD AFFIDAVIT OF
JOHN R. SHOEMAKER
IN OPPOSITION
TO SUMMARY JUDGMENT**

Sandra Harrilal, et al.,

Civil No. 05-461
JNE/SRN

Plaintiffs,

v.

Steve Magner, et al.,

Defendants.

Thomas J. Gallagher, et al.,

Civil No. 05-1348
JNE/SRN

Plaintiffs,

v.

Steve Magner, et al.,

Defendants.

STATE OF MINNESOTA)
) ss.
COUNTY OF HENNEPIN)

John R. Shoemkaer, being duly sworn upon oath, states and deposes as follows:

1. I am an attorney licensed to practice law in the State of Minnesota and admitted to practice in District Court. I am the attorney of record for the Plaintiffs in Frank J. Steinhauser, III, et. al., v. Kelly, et. al., and Sandra Harrilal, et. al., v. Magner, et. al. This affidavit is submitted on behalf of all of the Plaintiffs in the above captioned matters in opposition to Defendants' Motion for Summary Judgment.
2. Attached hereto as Exhibit 154 is a true and correct copy of Bates No. PHA 7-17.
3. Attached hereto as Exhibit 155 is a true and correct copy of Bates No. PHA 271-272, City of St. Paul Consolidated Plan 2005 - 2009.
4. Attached hereto as Exhibit 156 is a true and correct copy of Bates No. PHA 283-285.
5. Attached hereto as Exhibit 157 is a true and correct copy of Bates No. PHA 288-307.
6. Attached hereto as Exhibit 158 is a true and correct copy of Bates No. PHA 408-417.
7. Attached hereto as Exhibit 159 is a true and correct copy of Bates No. PHA 585.
8. Attached hereto as Exhibit 160 is a true and correct copy of Bates No. PHA 591.
9. Attached hereto as Exhibit 161 is a true and correct copy of Bates No. PHA 656-660.

10. Attached hereto as Exhibit 162 is a true and correct copy of Bates No. PHA 3194-3390.

11. Attached hereto as Exhibit 163 is a true and correct copy of Bates No. PHA 4114-4125.

12. Attached hereto as Exhibit 164 is a true and correct copy of Bates No. PHA 11285.

13. Attached hereto as Exhibit 165 is a true and correct copy of Bates No. PHA 11323.

14. Attached hereto as Exhibit 166 is a true and correct copy of Bates No. PHA 11339.

15. Attached hereto as Exhibit 167 is a true and correct copy of Bates No. PHA 11340.

16. Attached hereto as Exhibit 168 is a true and correct copy of Bates No. PHA 11363.

17. Attached hereto as Exhibit 169 is a true and correct copy of Bates No. PHA 11390.

18. Attached hereto as Exhibit 170 is a true and correct copy of Bates No. PHA 11439.

19. Attached hereto as Exhibit 171 is a true and correct copy of Bates No. PHA 11488-11494.

20. Attached hereto as Exhibit 172 is a true and correct copy of Bates No. PHA 11789.

21. Attached hereto as Exhibit 173 is a true and correct copy of Bates No. PHA 11796-11797.

22. Attached hereto as Exhibit 174 is a true and correct copy of Bates No. PHA 11799.

23. Attached hereto as Exhibit 175 is a true and correct copy of Bates No. PHA 11802-11816.

24. Attached hereto as Exhibit 176 is a true and correct copy of Bates No. PHA 11827-11838.

25. Attached hereto as Exhibit 177 is a true and correct copy of Bates No. PHA 11877-11890.

26. Attached hereto as Exhibit 178 is a true and correct copy of Bates No. PHA 11881.

27. Attached hereto as Exhibit 179 is a true and correct copy of Bates No. PHA 12054.

28. Attached hereto as Exhibit 180 is a true and correct copy of Bates No. PHA 12087.

29. Attached hereto as Exhibit 181 is a true and correct copy of Bates No. PHA 15993-16009.

30. Attached hereto as Exhibit 182 is a true and correct copy of Bates No. PHA 16818-16843.

31. Attached hereto as Exhibit 183 is a true and correct copy of Bates No. PHA 17348.

32. Attached hereto as Exhibit 184 is a true and correct copy of Bates No. PHA 17394.

33. Attached hereto as Exhibit 185 is a true and correct copy of Bates No. PHA 17505-17525.

34. Attached hereto as Exhibit 186 is a true and correct copy of Bates No. PHA 17714.

35. Attached hereto as Exhibit 187 is a true and correct copy of Bates No. PHA 17716-17717.

36. Attached hereto as Exhibit 188 is a true and correct copy of Bates No. PHA 17827-17836.

37. Attached hereto as Exhibit 189 is a true and correct copy of Bates No. PHA 18431-18487.

38. Attached hereto as Exhibit 190 is a true and correct copy of Bates No. PHA 18488-18523.

39. Attached hereto as Exhibit 192 is a true and correct copy of Bates No. PHA 18636-18661.

40. Attached hereto as Exhibit 193 is a true and correct copy of Bates No. PHA 21332.

41. Attached hereto as Exhibit 194 is a true and correct copy of Bates No. PHA 21356.

42. Attached hereto as Exhibit 195 is a true and correct copy of Bates No. PHA 21735.

43. Attached hereto as Exhibit 196 is a true and correct copy of Bates No. PHA 21751-21752.

44. Attached hereto as Exhibit 197 is a true and correct copy of Bates No. PHA 21778.

45. Attached hereto as Exhibit 198 is a true and correct copy of Bates No. PHA 22029-22045.

46. Attached hereto as Exhibit 199 is a true and correct copy of Bates No. PHA 22191.

47. Attached hereto as Exhibit 200 is a true and correct copy of Bates No. PHA 22198-22200.

48. Attached hereto as Exhibit 201 is a true and correct copy of Bates No. PHA 22206-22208.

49. Attached hereto as Exhibit 202 is a true and correct copy of Bates No. PHA 22440.

50. Attached hereto as Exhibit 203 is a true and correct copy of Bates No. PHA 22475-22476.

51. Attached hereto as Exhibit 204 is a true and correct copy of Bates No. PHA 22803.

52. Attached hereto as Exhibit 205 is a true and correct copy of Bates No. PHA 22806-22808.

53. Attached hereto as Exhibit 206 is a true and correct copy of Bates No. PHA 22850.

54. Attached hereto as Exhibit 207 is a true and correct copy of Bates No. PHA 22855.

55. Attached hereto as Exhibit 208 is a true and correct copy of Bates No. PHA 22857.

56. Attached hereto as Exhibit 209 is a true and correct copy of Bates No. 40000-40003.

57. Attached hereto as Exhibit 210 is a true and correct copy of Bates No. 40004.

58. Attached hereto as Exhibit 211 is a true and correct copy of Bates No. 40005-40006.

59. Attached hereto as Exhibit 212 is a true and correct copy of Bates No. 40007.

60. Attached hereto as Exhibit 213 is a true and correct copy of Bates No. 40008.

61. Attached hereto as Exhibit 214 is a true and correct copy of Bates No. 40009.

62. Attached hereto as Exhibit 215 is a true and correct copy of Bates No. 40010.

63. Attached hereto as Exhibit 216 is a true and correct copy of Bates No. 40011.

64. Attached hereto as Exhibit 217 is a true and correct copy of Bates No. 40012-40173.

65. Attached hereto as Exhibit 218 is a true and correct copy of Bates No. 44545-44548.

66. Attached hereto as Exhibit 219 is a true and correct copy of Bates No. 44549-44660.

67. Attached hereto as Exhibit 220 is a true and correct copy of Bates No. 44661-44762.

68. Attached hereto as Exhibit 221 is a true and correct copy of Bates No. 44763-44816.

69. Attached hereto as Exhibit 222 is a true and correct copy of Bates No. 44817-44904.

70. Attached hereto as Exhibit 223 is a true and correct copy of Bates No. 44905-44937.

71. Attached hereto as Exhibit 224 is a true and correct copy of Bates No. 44938-44956.

72. Attached hereto as Exhibit 225 is a true and correct copy of Bates No. 44957-44963.

73. Attached hereto as Exhibit 226 is a true and correct copy of Bates No. 44964-44969.

74. Attached hereto as Exhibit 227 is a true and correct copy of Bates No. 44970-44973.

75. Attached hereto as Exhibit 228 is a true and correct copy of Bates No. 44974-45018.

76. Attached hereto as Exhibit 229 is a true and correct copy of Bates No. 45019-45025.

77. Attached hereto as Exhibit 230 is a true and correct copy of Bates No. 45026-45034.

78. Attached hereto as Exhibit 231 is a true and correct copy of Bates No. 45035-45037.

79. Attached hereto as Exhibit 232 is a true and correct copy of Bates No. 45038-45046.

80. Attached hereto as Exhibit 233 is a true and correct copy of Bates No. 45047-45050.

81. Attached hereto as Exhibit 234 is a true and correct copy of Bates No. 45051-45072.

82. Attached hereto as Exhibit 235 is a true and correct copy of Bates No. 45073-45090.

83. Attached hereto as Exhibit 236 is a true and correct copy of Bates No. 45091-45152.

84. Attached hereto as Exhibit 237 is a true and correct copy of Bates No. 45153-45339.

85. Attached hereto as Exhibit 238 is a true and correct copy of Bates No. 45340-45401.

86. Attached hereto as Exhibit 239 is a true and correct copy of Bates No. 45402-45410.

87. Attached hereto as Exhibit 240 is a true and correct copy of Bates No. 45411.

88. Attached hereto as Exhibit 241 is a true and correct copy of Bates No. 45412-45413.

89. Attached hereto as Exhibit 242 is a true and correct copy of Bates No. 45414.

90. Attached hereto as Exhibit 243 is a true and correct copy of Bates No. 45415-45426.

91. Attached hereto as Exhibit 244 is a true and correct copy of Bates No. 45427
92. Attached hereto as Exhibit 245 is a true and correct copy of Bates No. 45428
93. Attached hereto as Exhibit 246 is a true and correct copy of Bates No. 45429-45490.
94. Attached hereto as Exhibit 247 is a true and correct copy of Bates No. 45491-45496.
95. Attached hereto as Exhibit 248 is a true and correct copy of Bates No. 45499.
96. Attached hereto as Exhibit 249 is a true and correct copy of Bates No. 45500-45524.
97. Attached hereto as Exhibit 250 is a true and correct copy of Bates No. 45525-45539.
98. Attached hereto as Exhibit 251 is a true and correct copy of Bates No. 45540-45547
99. Attached hereto as Exhibit 252 is a true and correct copy of Bates No. 45548-45560
100. Attached hereto as Exhibit 253 is a true and correct copy of Bates No. 45561-45570.
101. Attached hereto as Exhibit 254 is a true and correct copy of Bates No. 45571-45603.
102. Attached hereto as Exhibit 255 is a true and correct copy of Bates No. 45604-45622.

103. Attached hereto as Exhibit 256 is a true and correct copy of Bates No. 45623-45653.

104. Attached hereto as Exhibit 257 is a true and correct copy of Bates No. 45654-45658.

105. Attached hereto as Exhibit 258 is a true and correct copy of Bates No. 456659-45662.

106. Attached hereto as Exhibit 259 is a true and correct copy of Bates No. 45663-45689.

107. Attached hereto as Exhibit 260 is a true and correct copy of Bates No. 45690-45693.

108. Attached hereto as Exhibit 261 is a true and correct copy of Bates No. 45694-45700.

109. Attached hereto as Exhibit 262 is a true and correct copy of Bates No. 45701-45707.

110. Attached hereto as Exhibit 263 is a true and correct copy of Bates No. 45708-45709.

111. Attached hereto as Exhibit 264 is a true and correct copy of Bates No. 45710-45733.

112. Attached hereto as Exhibit 265 is a true and correct copy of Bates No. 45734-45757.

113. Attached hereto as Exhibit 266 is a true and correct copy of Bates No. 45758-45770.

114. Attached hereto as Exhibit 267 is a true and correct copy of Bates No. 45771-45965.

115. Attached hereto as Exhibit 268 is a true and correct copy of Bates No. 45966-46137.

116. Attached hereto as Exhibit 269 is a true and correct copy of Bates No. 46138-46199.

117. Attached hereto as Exhibit 270 is a true and correct copy of Bates No. 46200-46334.

118. Attached hereto as Exhibit 271 is a true and correct copy of Bates No. 46335-46336.

119. Attached hereto as Exhibit 272 is a true and correct copy of Bates No. 46337-46338.

120. Attached hereto as Exhibit 273 is a true and correct copy of Bates No. 46339-46345.

121. Attached hereto as Exhibit 274 is a true and correct copy of Bates No. 211385.

122. Attached hereto as Exhibit 275 is a true and correct copy of Bates No. 211402.

123. Attached hereto as Exhibit 276 is a true and correct copy of Bates No. 211403.

124. Attached hereto as Exhibit 277 is a true and correct copy of Bates No. 211408.

125. Attached hereto as Exhibit 278 is a true and correct copy of Bates No. 211417.

126. Attached hereto as Exhibit 279 is a true and correct copy of Bates No. 211425.

127. Attached hereto as Exhibit 280 is a true and correct copy of Bates No. 211467.

128. Attached hereto as Exhibit 281 is a true and correct copy of Bates No. 211590.

129. Attached hereto as Exhibit 282 is a true and correct copy of Bates No. 211682.

130. Attached hereto as Exhibit 283 is a true and correct copy of Bates No. 211685.

131. Attached hereto as Exhibit 284 is a true and correct copy of Bates No. 211706.

132. Attached hereto as Exhibit 285 is a true and correct copy of Bates No. 211714-211715.

133. Attached hereto as Exhibit 286 is a true and correct copy of Bates No. 211751.

134. Attached hereto as Exhibit 287 is a true and correct copy of Bates No. 212644.

135. Attached hereto as Exhibit 288 is a true and correct copy of Bates No. 213026.

136. Attached hereto as Exhibit 289 is a true and correct copy of Bates No. 213082.

137. Attached hereto as Exhibit 290 is a true and correct copy of Bates No. 213250-213251.

138. Attached hereto as Exhibit 291 is a true and correct copy of Bates No. 213255-213256.

139. Attached hereto as Exhibit 292 is a true and correct copy of Bates No. 213259-213263.

140. Attached hereto as Exhibit 293 is a true and correct copy of Bates No. 213517.

141. Attached hereto as Exhibit 294 is a true and correct copy of Bates No. 215300.

142. Attached hereto as Exhibit 295 is a true and correct copy of Bates No. 215581.

143. Attached hereto as Exhibit 296 is a true and correct copy of Bates No. 215699-215700.

144. Attached hereto as Exhibit 297 is a true and correct copy of Bates No. 45808.

145. Attached hereto as Exhibit 298 is a true and correct copy of the affidavit of Steven Mark with exhibits A-B.

FURTHER YOUR AFFIANT SAYTH NOT.

Dated: 8-22-2008

s/John R. Shoemaker
John R. Shoemaker

Subscribed and sworn to before me
this 22nd day of August, 2008.

s/Matthew A. Engel

Notary Public
Under Seal